

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA

IN THE MATTER OF THE SEARCH OF:)

Case No.

LOCATIONS WITHIN THE PREMISES)

TO BE SEARCHED IN ATTACHMENT A)

Filed Under SealFILED BY PCS D.C.

SEP 06 2022

ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S.D. OF FLA. - W.P.B.**FRIEND OF THE COURT BRIEF
NO ATTRIBUTIONS OR CITATIONS****INTRODUCTION**

This matter involves a surprise and sweeping taking of documents and objects from the residence of the former President of the United States Trump #45. On the date(s) in question members of the Federal Government (FEDGOV). Presumably representative of the Department of Justice (DoJ). Federal Bureau of Investigation (FBI) representatives were also present but not "on point". The investigation began as a result of a referral to the United States National Archives and Records Administration (NARA) [from the original filing by DoJ, a criminal prosecution arm of the FEDGOV] sent to the United States Department of Justice (DoJ) on February 8, 2022, hereinafter, "NARA Referral".

This appears to be a no-knock warrant executed when Respondent (POTUS 45) was at another one of his properties. The material taken include at least the following:

Documents marked some layer of secret including CONFIDENTIAL, CLASSIFIED, CLASSIFIED TOP SECRET,, CLASSIFIED TOP SECRET SCI and probably others as POTUS 45 had access to the highest level secret documents in the country. The material in this category were transferred from the White House on 1-20-22 when POTUS 45 left office. Elements of the FEDGOV were tasked with maintaining "chain of custody" at all times from that departure to arrival at the POTUS 45 primary residence in Florida, USA.

The Trump residence in FL, USA were modified to allow for residences of full time Secret Service staff, which remains to this day. Furthermore it was modified to allow for one or more Sensitive Compartmented Information

Facility (SCIF) structures so POTUS 45 duties as President of the United States could be conducted secretly and safely when in Florida, USA. Such activities include monitoring and communicating on the subjects of, nuclear material movements, DoD activities, Intelligence Community activities, leaders of other countries, leaders of FEDGOV vendors, leaders of civilian vendors and many others.

Those documents, after arrival, were inspected, and some subset of them taken to a FEDGOV controlled location pending disposition for the Presidential Library and other purposes. Many of those documents were kept at secure facilities (safes, locked rooms) in Florida, USA.

TENTH AMENDMENT TO THE CONSTITUTION

Florida is a State of the United States of America. It has a form of Sovereignty superior to the entire United States under the 10th Amendment to the Constitution of the United States. The Tenth Amendment (Amendment X) to the United States Constitution, a part of the Bill of Rights, was ratified on December 15, 1791. It expresses the principle of federalism, also known as states' rights, by stating that the federal government has only those powers delegated to it by the Constitution, and that all other powers not forbidden to the states by the Constitution are reserved to each state. The amendment was proposed by the 1st United States Congress in 1789 during its first term following the adoption of the Constitution. It was considered by many members as a prerequisite before they would ratify the Constitution, and particularly to satisfy demands of Anti-Federalists, who opposed the creation of a stronger federal government. The purpose of this amendment is to clarify how the federal government's powers should be interpreted and to reaffirm the nature of federalism. The text of the Tenth amendment to the Constitution states in full:

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people

FOURTH AMENDMENT TO THE CONSTITUTION

The Fourth Amendment (Amendment IV) to the United States Constitution is part of the Bill of Rights. It prohibits unreasonable searches and seizures. In addition, it sets requirements for issuing warrants: warrants must be issued by a judge or magistrate, justified by probable cause, supported by oath or affirmation, and must particularly describe the place to be searched and the persons or things to be seized.

Fourth Amendment case law deals with three main issues: what government activities are "searches" and "seizures," what constitutes probable cause to conduct searches and seizures, and how to address violations of Fourth Amendment rights. Early court decisions limited the amendment's scope to physical intrusion of property or persons, but with *Katz v. United States* (1967), the Supreme Court held that its protections extend to intrusions on the privacy of individuals as well as to physical locations. A warrant is needed for most search and seizure activities, but the Court has carved out a series of exceptions for consent searches, motor vehicle searches, evidence in plain view, exigent circumstances, border searches, and other situations. The text of the Fourth amendment to the Constitution states in full:

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

The term "particularly describing" is central to the amendment. It specifically prohibits sweeping and open ended searches or takings.

SCOPE OF TAKINGS FOLLOWING SEARCH

The basis for this search was likely unlawful as it broke the chain of custody set forth by the Civilian layer of the FEDGOV as well as the Intelligence Community (IC), likely including CIA, NSA, DIA and perhaps some of 13 others. and was usurped by a sweeping and open ended search and seizure by the Criminal Prosecution layer of the FEDGOV. This sort of search is typically conducted by investigatory agencies, not prosecutory agencies, with an order by a judge. The process forces

'arms length' analysis of such searches, lawful or not. That arms length system in place in the Judicial Branch and the Executive branch of the FEDGOV was overtly violated. It was unprecedented. Typically even if a crime is purported, suspected or likely known to have happened the agency in charge is the investigation branch (FBI). In tis case the agencies on "point" were NARA and DoJ. This is unprecedented and likely a violation of law and policy.

The group of takers spent a bit over 9 hours on site. They admit to have taken the following:

Documents suspected of being CLASSIFIED at some level

Attorney-Client privilege documents

Personal journals

Artifacts and collectables

Passports and other personal documents

Locks and security devices

Records of documents declassified by POTUS 45, either overtly or passively, either which is within the scope and authority of any POTUS. Such right does NOT apply, for example to a Secretary of State, a staff member of any office other than POTUS, a relative of a person in elected office without consent. Examples of this include SECSTATE Clinton, Uma Aberdeen, Weiner, Hunter Biden. None o these vilations on their face are being investigated, prosecuted and one can obseve from public information they are being protected by the FBI director, DoJ director, and the President and others. Notably thee are appointed civilian positions, not standing agency employees necessarily.

In fact if the documents that fall under some form of control that were moved by the FEDGOV itself, later in Florida, USA inspected by the FEDGOV itself, with some documents moved offsite, within a conventional chain of custody, are presumed to be properly handled, declassified, or

properly stored. Target (search victim) at all times fully cooperated with FEDGOV right up to the moment of the unlawful search, takings, and breach of chain of custody by an agency of the FEDGOV not typically allowed to even see such items until an investigator (FBI) petitions to releast them and a JUDGE rules to release a subset of even that after review. That entire processes was bypassed in this case. Besides being unlawful and Unconstitutional (violation of oath of office) (violation of Target (search victim)'s rights, it can rightfully be described as a theft. As such numerous felonies occurred by all the parties involved in the unlawful takings, not only on-site, but back at the office where the unlawful search and taking was planned, ordered, organized, implemented, and post facto duplicated and analyzed, all while the entire traditional processes was bypassed in this case.

ORDER (proposed)

1. Order the return of all materials to their original places.
2. Order any information gained is "fruit of the poisonous tree" and cannot be used in any Criminal or civil case ever.
3. Order each member of the search and take crew (on or of site) be recommended for Felony theft of classified and unclassified materials.
4. Order that each member of the search and take crew be FOUND to have violated their oath of office and they be discharged immediately FOR CAUSE. No exception for any layer of participant from the lowest clerk, civilian appointee, and even POTUS 46 himself.
5. Order each member of the search and take crew (on or of site) be recommended for Felony theft of attorney client materials.
6. Order each member of the search and take crew (on or of site) be recommended for Felony theft of personal jurnal materials.
7. **ORDER** each member of the search and take crew (on or of site) be recommended for Felony theft of classified and unclassified materials.

8. **ORDER** each member of the search and take crew (on or of site) be recommended for Felony theft of classified and unclassified materials.

9. **ORDER** that Target (search victim) be awarded all costs, attorney fees, labor and vendor invoices to deal with and recover from this unlawful taking. Since the original petition included fraud and exceeding scope of duties, order treble damages.

10. **ORDER** that the Target (search victim) was at all times fully cooperative with FEDGOV regarding all materials and objects prior to the unlawful search and takings.

11. **ORDER** that all parties knew verifiably (not speculation) that the site was guarded by the Secret Service full time, the materials were in locked and secure facilities to the standards set forth by the FEDGOV.

12. **ORDER** other relief as justice suggests, and to make an example of the unlawful perpetrators acting outside of the scope of the Constitution, chain of command, typical procedure of investigate - refer - prosecute - obtain judicial review of allowable or admissible documents - pre-trial pleadings and hearings between prosecutor and Target (search victim).

This document filed by mail on or about 8-30-22 to the right and Honorable Bruce E Reinhart, United States Magistrate Judge, Paul G. Rogers Federal Building and U.S. Courthouse, 701 Clematis Street, West Palm Beach, Florida 33401

This document sent by mail on or about 8-30-22 to Silverman-Thomson, M. Evan Corcoran, 400 E Pratt Street #900, Baltimore, MD 21202.

I verify I have authored this document and tendered it in regular mail to the above two addresses.

Gerald A. Irvine

PO Box 1242

Claremont, CA 91711

"The intellectual capitol of the world." Wall Street Journal

Honorable Bruce E Reinhart
United States Magistrate Judge
Paul G. Rogers Federal Building and U.S. Courthouse
701 Clematis Street
West Palm Beach, Florida 33401

Silverman-Thomson
M. Evan Corcoran
400 E Pratt Street #900
Baltimore, MD 21202



IRVINE ECONOMETRICS

info@irvineeconometrics.com

PO Box 1242
Claremont, CA 91711 USA

SN BERNARDINO CA 923

31 AUG 2022 PM 5 L

Honorable Bruce E Reinne
United States Magistrate Judge
Paul G. Rogers Federal Building and U.S. Courthouse
701 Clematis Street
West Palm Beach, Florida 33401

33401-510199

